

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



July 22, 2003

Agenda ID #2491
Ratesetting

TO: PARTIES OF RECORD IN APPLICATION 98-09-003, ET AL.

This is the draft decision of Administrative Law Judge (ALJ) Malcolm. It will not appear on the Commission's agenda for at least 30 days after the date it is mailed. The Commission may act then, or it may postpone action until later.

When the Commission acts on the draft decision, it may adopt all or part of it as written, amend or modify it, or set it aside and prepare its own decision. Only when the Commission acts does the decision become binding on the parties.

Parties to the proceeding may file comments on the draft decision as provided in Article 19 of the Commission's "Rules of Practice and Procedure." These rules are accessible on the Commission's website at <http://www.cpuc.ca.gov>. Pursuant to Rule 77.3 opening comments shall not exceed 15 pages. Finally, comments must be served separately on the ALJ and the assigned Commissioner, and for that purpose I suggest hand delivery, overnight mail, or other expeditious method of service.

/s/ ANGELA K. MINKIN
Angela K. Minkin, Chief
Administrative Law Judge

ANG:hl2

Attachment

Decision **DRAFT DECISION OF ALJ MALCOLM** (Mailed 7/18/03)**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Pacific Gas and Electric Company for Review and Recovery of the Costs and Revenues in the Transition Cost Balancing Account. (U 39 E)

Application 98-09-003
(Filed September 1, 1998)

Application of Southern California Edison Company to Review and Recovery Transition Cost Balancing Account Entries from January 1, 1998 through June 30, 1998 and Various Generation-Related Memorandum Account Entries.

Application 98-09-008
(Filed September 1, 1998)

Application of San Diego Gas & Electric Company in the Annual Transition Cost Proceeding Regarding the Transition Cost Balancing Account (TCBA).

Application 98-09-009
(Filed September 1, 1998)

DECISION CLOSING PROCEEDINGS**Summary**

On September 1, 1998, Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company filed these applications as required by the Commission. Their purpose was to create a forum for the Commission's review of "transition cost balancing accounts," in which the utilities entered various costs and revenues, mainly related to utility generating plant and qualifying facilities. Since the filing of these applications, the Commission has addressed related issues in other dockets, or events have

rendered the issues moot. No active party to the proceeding objects to closing these dockets.

Comments on Draft Decision

The draft decision of the Administrative Law Judge (ALJ) in this matter was mailed to the parties in accordance with Section 311(g)(1) of the Public Utilities Code and Rule 77.7 of the Rules of Practice and Procedure. Comments were filed on _____, and reply comments were filed on _____.

Assignment of Proceeding

Susan P. Kennedy is the Assigned Commissioner and Kim Malcolm is the assigned ALJ in this proceeding.

Finding of Fact

This order closes these consolidated proceedings in recognition that issues raised in the applications have either been addressed directly in other forums or have been rendered moot by intervening events.

Conclusion of Law

The Commission should close these proceedings.

O R D E R

IT IS ORDERED that Application (A.) 98-09-003, A.98-09-008, and A.98-09-009 are closed.

This order is effective today.

Dated _____, at San Francisco, California.